

CHAPTER 6

Rules and Regulations for Designated Hospitals

General Provisions

Section 1. Authority. This Chapter is promulgated by the Department of Health (“the Department”) pursuant to the Involuntary Commitment Act (“the Act”), at W.S. § 25-10-101, *et seq.*, and the Wyoming Administrative Procedure Act at W.S. § 16-3-101, *et seq.*

Section 2. Purpose and Applicability.

(a) These rules have been adopted to establish definitions applicable to Chapter 7, Standards for the Designation of Hospitals pursuant to W.S. § 25-10-104 and Chapter 8, Standards for the Reimbursement of Designated Hospitals or Other Treatment Providers pursuant to W.S. § 25-10-112.

(b) The Department may issue manuals, bulletins or both to interpret the provisions of these rules. Such manuals and bulletins shall be consistent with and reflect the policies contained in these rules and regulations. The provisions contained in manuals or bulletins shall be subordinate to the provisions of these rules and regulations.

Section 3. General Provisions.

(a) Terminology. Except as otherwise specified, the terminology used in these rules is the standard terminology used in the industry, and has the standard meaning used in accounting, healthcare, Medicaid and Medicare.

(b) The incorporation by reference of any external standard is intended to be the incorporation of that standard as it is in effect on the effective date of this Chapter of these rules and regulations.

Section 4. Definitions. The following definitions shall apply in the interpretation and enforcement of these rules. Where the context in which words are used in these rules indicates that such is the intent, words in the singular shall include the plural and vice versa. Throughout these rules gender pronouns are used interchangeably, except where the context dictates otherwise. The drafters have attempted to utilize each gender pronoun in equal numbers, in random distribution. Words in each gender shall include individuals of the other gender.

(a) “CARF Accreditation” means accreditation according to the Commission on Accreditation of Rehabilitation Facilities.

(b) “Centers for Medicare and Medicaid (CMS) Certification” means the state survey agency has determined that a healthcare entity has been determined to meet the Social Security Act’s provider or supplier definitions, and is in compliance with standards required by Federal regulations.

(c) “Claims” means the process of billing the allowable cost of services under the Act to the Department or responsible county pursuant to W.S. § 25-10-112.

(d) “CMS 1500” means the billing claim form for healthcare services approved by the Centers for Medicaid and Medicare Services, which is used by physicians (formerly the HCFA 1500).

(e) “Department” means the Wyoming Department of Health.

(f) “Designated Hospital” means a holding hospital or psychiatric treatment hospital.

(g) “Emergency Detention” means the detention of a person pursuant to W.S. § 25-10-109.

(h) “Holding Hospital” means any hospital that provides care to an individual detained under W.S. § 25-10-109 and which bills the Department or the responsible county for the costs of that care under W.S. § 25-10-112.

(i) “Hospital” means a licensed institution or a unit in a licensed institution which provides one (1) or more of the following to patients by or under the supervision of an organized medical staff, as indicated in the Department’s Rules and Regulations for Licensure of Hospitals, Chapter 12, Section 4, Definitions (m):

(i) Diagnostic and therapeutic services for medical diagnosis, treatment and care of injured, disabled or sick persons;

(ii) Rehabilitation services for the mental health rehabilitation of injured, disabled or sick persons;

(iii) Acute care;

(iv) Psychiatric care; and/or

(v) Swing Beds.

(j) “Inpatient psychiatric treatment” means the medical diagnosis, treatment and care of persons with mental illness requiring hospitalization which is provided under the direction of a licensed, board certified psychiatrist.

(k) “Involuntary hospitalization” means the hospitalization of a person against their will under W.S. § 25-10-110, at the Wyoming State Hospital or at a psychiatric treatment hospital under contract with the Department to provide inpatient psychiatric treatment.

(l) “JCAHO” means the Joint Commission for the Accreditation of Healthcare Organizations.

(m) “Medicaid” means medical assistance and services provided pursuant to Title XIX of the Social Security Act and/or the Wyoming Medical Assistance and Services Act, at W.S. § 42-4-101, *et seq.*

(n) “Medically necessary” means items and services which may be justified as reasonable, necessary, and/or appropriate, based on evidence-based clinical standards of care.

(o) “Medical Records” means all documents, in whatever form, in the possession of or subject to the control of the designated hospital, which describe the patient’s diagnosis, condition and/or treatment.

(p) “Other treatment provider” means a licensed physician, who provides services under W.S. § 25-10-109 and W.S. § 25-10-110 and who bills the Department or responsible county for those services independent of a designated hospital.

(q) “Patient” means an individual receiving care by a designated hospital or other treatment provider for a mental illness pursuant to W.S. §§ 25-10-101 through 25-10-305.

(r) “Physician” means an individual licensed to practice medicine.

(s) “Treatment” means diagnosis, evaluation, intervention, which may include psychiatric medication, individual and group mental health counseling, and illness management and diversion services such as immediate linkages to mental health services in the community. These services begin at the time of detention and continue throughout involuntary hospitalization. Treatment does not mean observation, supervision, or discharge planning.

(t) “Universal billing claim form” means the national standardized form used by hospitals and other healthcare facilities or treatment providers which summarizes the allowable costs for services provided by the hospital or other treatment provider.

(u) “Utilization Review” means the process of comparing requests for medical services to guidelines or criteria that are deemed appropriate for such services.

(v) “Volunteer assistance” means monitoring of a person detained under W.S. § 25-10-109, by a member of the community independent of that person’s regular employment.

(w) “Wyoming State Hospital” means the state healthcare facility serving persons with mental illness located in Evanston, Wyoming.

Section 5. Severability. If any portion of this Chapter is found to be invalid or unenforceable, the remainder shall continue in full force and effect.